

Customer Number: 000959

Attorney's

Docket

Number AHN-001

Declaration, Petition and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MSH5 ABLATED MICE AND USES THEREFOR
the specification of which

(check one)

☐ is attached hereto.

☒ was filed on December 22, 1999 as

Application Serial No. 09/469,636

and was amended on _____
(if applicable)

I do not know and do not believe that the subject matter of this application was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date of this application, or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date of this application on an application filed more than twelve months (six months if this application is for a design) before the filing of this application; and I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

09558734-091100

CLAIM OF BENEFIT OF EARLIER FOREIGN APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application(s) for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) from which priority is claimed.

Check one:

☒ no such applications have been filed.

☐ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| Country | Application Number | Date of Filing (month,day,year) | Priority Claimed Under 35 USC 119 | |
|---------|--------------------|------------------------------------|--------------------------------------|-----------------------------|
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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0958734:091100

[illegible]

60/113,487
(Application Serial No.)

December 22, 1998
(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any earlier United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date(s) of the earlier application(s) and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier application(s), if any, described below, I do not know and do not believe that the same was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date(s) of said earlier application(s), or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date(s) of said earlier application(s) on an application filed more than twelve months (six months if this application is for a design) before the filing of said earlier application(s); and I acknowledge that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, aband.)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, aband.)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

W. Hugo Liepmann Reg. No. 20,407
James E. Cockfield Reg. No. 19,162
Thomas V. Smurzynski Reg. No. 24,798
Ralph A. Loren Reg. No. 29,325
Giulio A. DeConti, Jr. Reg. No. 31,503
Ann Lamport Hammitte Reg. No. 34,858
Elizabeth A. Hanley Reg. No. 33,505
Amy E. Mandragouras Reg. No. 36,207
Anthony A. Laurentano Reg. No. 38,220
Jane E. Remillard Reg. No. 38,872
Jeremiah Lynch Reg. No. 17,425
Kevin J. Canning Reg. No. 35,470
David A. Lane, Jr. Reg. No. 39,261

Catherine J. Kara Reg. No. 41,106
Jeanne M. DiGiorgio Reg. No. 41,710
Megan E. Williams Reg. No. 43,270
Nicholas P. Triano III Reg. No. 36,397
Peter C. Lauro Reg. No. 32,360
Timothy J. Douros Reg. No. 41,716
John L. Welch Reg. No. 28,129
DeAnn F. Smith Reg. No. 36,683
William D. DeVaul Reg. No. 42,483
David J. Ridders Reg. No. 43,882
Chi Suk Kim Reg. No. 42,728

Send Correspondence to Amy E. Mandragouras at Customer Number: 000959 whose address is:

Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

Direct Telephone Calls to: Amy E. Mandragouras, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|-------------------------------------|---------|
| Full name of sole or first inventor | |
| Winfried Edelmann | |
| Inventor's signature | Date |
| <i>Winfried Edelmann</i> | 4/11/00 |
| Residence | |
| 5800 Arlington Ave., Apt. 10H | |
| Bronx, New York 10471 | |
| Citizenship | |
| German | |
| Post Office Address (if different) | |

Full name of second inventor, if any

Richard D. Kolodner

Inventor's signature

Date

Residence

13468 Kibbings Rd.

San Diego, California 92130

Citizenship

U.S.

Post Office Address (if different)

Full name of third inventor, if any

Jeffrey W. Pollard

Inventor's signature

Date

4/11/00

Residence

275 W. Ninety-sixth Street.

New York, New York 10025

Citizenship

U.S.

Post Office Address (if different)

Full name of fourth inventor, if any

Raju S. Kucherlapati

Inventor's signature

Date

4/11/00

Residence

Five Gracie Lane

Darrien, Connecticut 06820

Citizenship

U.S.

Post Office Address (if different)

00110-1278960

Customer Number: 000959

Attorney's
Docket
Number AHN-001

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the specification of which

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☒ was filed on December 22, 1999 as

Application Serial No. 09/469,636

and was amended on _____
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I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

09333734-091100

CLAIM OF BENEFIT OF EARLIER FOREIGN APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application(s) for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) from which priority is claimed.

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| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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00550734-001100

CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/113,487

(Application Serial No.)

December 22, 1998

(Filing Date)

(Application Serial No.)

(Filing Date)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any earlier United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date(s) of the earlier application(s) and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier application(s), if any, described below, I do not know and do not believe that the same was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date(s) of said earlier application(s), or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date(s) of said earlier application(s) on an application filed more than twelve months (six months if this application is for a design) before the filing of said earlier application(s); and I acknowledge that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

(Application Serial No.)

(Filing Date)

(Status)
(patented,pending,aband.)

(Application Serial No.)

(Filing Date)

(Status)
(patented,pending,aband.)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Ralph A. Loren Reg. No. 29,325
Giulio A. DeConti, Jr. Reg. No. 31,503
Ann Lamport Hammitte Reg. No. 34,858
Elizabeth A. Hanley Reg. No. 33,505
Amy E. Mandragouras Reg. No. 36,207
Anthony A. Laurentano Reg. No. 38,220
Jane E. Remillard Reg. No. 38,872
Jeremiah Lynch Reg. No. 17,425
Kevin J. Canning Reg. No. 35,470
David A. Lane, Jr. Reg. No. 39,261

Catherine J. Kara Reg. No. 41,106
Jeanne M. DiGiorgio Reg. No. 41,710
Megan E. Williams Reg. No. 43,270
Nicholas P. Triano III Reg. No. 36,397
Peter C. Lauro Reg. No. 32,360
Timothy J. Douros Reg. No. 41,716
John L. Welch Reg. No. 28,129
DeAnn F. Smith Reg. No. 36,683
William D. DeVaul Reg. No. 42,483
David J. Rikkers Reg. No. 43,882
Chi Suk Kim Reg. No. 42,728

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Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

Direct Telephone Calls to: Amy E. Mandragouras, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|-------------------------------------|------|
| Full name of sole or first inventor | |
| Winfried Edelmann | |
| Inventor's signature | Date |
| Residence | |
| 5800 Arlington Ave., Apt. 10H | |
| Bronx, New York 10471 | |
| Citizenship | |
| German | |
| Post Office Address (if different) | |

| | |
|--|-----------------------|
| Full name of second inventor, if any Richard D. Kolodner | |
| Inventor's signature <i>Richard D. Kolodner</i> | Date April 5, 2000 |
| Residence 13468 Kibbings Rd. San Diego, California 92130 | |
| Citizenship U.S. | |
| Post Office Address (if different) | |

| | |
|--|------|
| Full name of third inventor, if any Jeffrey W. Pollard | |
| Inventor's signature | Date |
| Residence 275 W. Ninety-sixth Street. New York, New York 10025 | |
| Citizenship U.S. | |
| Post Office Address (if different) | |

| | |
|--|------|
| Full name of fourth inventor, if any Raju S. Kucherlapati | |
| Inventor's signature | Date |
| Residence Five Gracie Lane Darrien, Connecticut 06820 | |
| Citizenship U.S. | |
| Post Office Address (if different) | |

Unit:

Examiner:

For: **METHODS FOR IDENTIFYING COMPOUNDS
WHICH MODULATE THE ACTIVITY OF MSH5**
(As amended)

Assistant Commissioner for Patents
Washington, D.C. 20231

Date of Deposit: September 11, 2000 Mailing Label Number: EL 011 359 939 US

Date of Deposit: September 11, 2006

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Name of Person Mailing Paper

Signature of Person Mailing Paper

Sir:

The undersigned attorney has the power of attorney in the subject application. She hereby grants an associate power to:

Maria C. Laccotripe
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109

As demonstrated by Appendix A (submitted herewith) Maria C. Laccotripe has passed the Patent Bar Examination and has been granted limited recognition under 37 C.F.R. § 10.9(b).

Please continue to forward all written and telephonic communications to Amy E.

Mandragouras at the address and telephone number listed below.

Respectfully submitted,

Ann Lampert Hammitte
Registration No. 34,858
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400
Dated: September 11, 2000

BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Maria C. Laccotripe is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Lahive and Cockfield to prepare and prosecute patent applications wherein the patent applicant is the client of Lahive and Cockfield, and the attorney of agent of record in the applications is a registered practitioner who is a member of Lahive and Cockfield. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Maria C. Laccotripe ceases to lawfully reside in the United States, (ii) Maria C. Laccotripe's employment with Lahive and Cockfield ceases or is terminated, or (iii) Maria C. Laccotripe ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: October 5, 2000


Harry D. Moatz, Acting Director
Office of Enrollment and Discipline

00558734-091100